

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                       |   |              |
|-----------------------|---|--------------|
| ANTHONY JOHNSON       | : | CIVIL ACTION |
|                       | : |              |
| v.                    | : | No. 13-3261  |
|                       | : |              |
| JOHN KERESTES, et al. | : |              |

**ORDER**

AND NOW, this 8th day of January, 2014, upon careful and independent consideration of Petitioner Anthony Johnson's pro se Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody and after review of the Report and Recommendation of United States Magistrate Judge M. Faith Angell, to which no objections have been filed,<sup>1</sup> it is ORDERED:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The Petition for Writ of Habeas Corpus is placed in SUSPENSE until the conclusion of Johnson's state post-conviction proceedings.
3. Johnson shall return to federal court within thirty (30) days following the conclusion of his state court proceedings. If Johnson does not return to federal court within that time, this order will be vacated and his petition will be dismissed without prejudice.
4. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.

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<sup>1</sup> The Report and Recommendation was sent to all parties of record on October 18, 2013, together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections to the Report and Recommendation within 14 days after service thereof. *See* Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B), and subsections 1(c) and (d) of this Rule within fourteen (14) days after being served with a copy thereof"). As of today's date, no objections have been filed.